



"Winters, Karen"
<KWinters@ssd.com>
06/20/2006 08:42 AM

To Catherine Garypie/R5/USEPA/US@EPA
cc
bcc

EPA Region 5 Records Ctr.



366650

Subject RE: FW: Redraft of Oklahoma Settlement Agreement

I'm going to send out a redraft of the Illinois Settlement Agreement later today that will include the revisions to the Oklahoma Settlement Agreement that address Alan's comments below.

-----Original Message-----

From: Garypie.Catherine@epamail.epa.gov
[mailto:Garypie.Catherine@epamail.epa.gov]
Sent: Monday, June 19, 2006 10:49 AM
To: Winters, Karen
Subject: Re: FW: Redraft of Oklahoma Settlement Agreement

The latest redraft of OK is not attached. Can you please send that?
Thank you.

Catherine Garypie, Associate Regional Counsel Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 West Jackson Blvd. (C-14J)
Chicago, Illinois 60604
PH 312-886-5825
FAX 312-886-0747
email: garypie.catherine@epa.gov

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"Winters, Karen"
<KWinters@ssd.com>
m>

06/19/2006 09:15
AM

To
"Morgan, James L."
<JMorgan@atg.state.il.us>,
Catherine Garypie/R5/USEPA/US@EPA
cc

Subject
FW: Redraft of Oklahoma
Settlement Agreement

FYI.

-----Original Message-----

From: Alan.Tenenbaum@usdoj.gov [mailto:Alan.Tenenbaum@usdoj.gov]
Sent: Sunday, June 18, 2006 10:40 AM
To: Elise.Feldman@usdoj.gov; LPutman@milbank.com; TKreller@milbank.com;
wvawest@ameritech.net; ssamuels@szd.com; vpowers@szd.com;
Betsey.Streuli@deq.state.ok.us; Winters, Karen
Cc: Brooks, Patrick J.; Lerner, Stephen D.
Subject: Re: Redraft of Oklahoma Settlement Agreement

A handful of advance comments that I am sending out to save time.
Others may have other comments.

In the covenants not sue by the governments, the reservation of rights for new acts etc have gotten lost in your rewrite. They are now buried in the debtors cmts In a provided however. They need to be moved back to the government cmts paragraphs (needed in each). Also please add the word "civil" in between "other" and "action".

The governments reservation of rights is now not parallel to the debtors reservation of rights in that it refers to the cta. They should be made parallel.

In the 104 reservation, there is currently only a reservation of rights for 4.3 of the cta. There also needs to be one for emergencies as stated earlier in the same paragraph of the settlement agreement. Thanks.
Alan.

Sent from my BlackBerry Wireless Handheld

Sent Using U.S. DOJ/ENRD BES Server

-----Original Message-----

From: KWinters@ssd.com <KWinters@ssd.com>
To: Feldman, Elise (ENRD) <EFeldman@ENRD.USDOJ.GOV>; Tenenbaum, Alan (ENRD) <ATenenba@ENRD.USDOJ.GOV>; Betsey.Streuli@deq.state.ok.us <Betsey.Streuli@deq.state.ok.us>; vpowers@szd.com <vpowers@szd.com>; ssamuels@szd.com <ssamuels@szd.com>; wvawest@ameritech.net <wvawest@ameritech.net>; TKreller@milbank.com <TKreller@milbank.com>; LPutman@milbank.com <LPutman@milbank.com>
CC: SLerner@ssd.com <SLerner@ssd.com>; PBrooks@ssd.com <PBrooks@ssd.com>
Sent: Sun Jun 18 08:44:42 2006
Subject: FW: Redraft of Oklahoma Settlement Agreement

A couple of additional cleanup revisions. Talk to you on Monday.

From: Winters, Karen
Sent: Saturday, June 17, 2006 10:20 AM
To: 'Betsey.Streuli@deq.state.ok.us'; Elise.Feldman@usdoj.gov;
'Alan.Tenenbaum@usdoj.gov'; vpowers@szd.com; ssamuels@szd.com;
wvawest@ameritech.net; TKreller@milbank.com; LPutman@milbank.com
Cc: Lerner, Stephen D.; Brooks, Patrick J.

Subject: Redraft of Oklahoma Settlement Agreement

Attached is a redraft of the Oklahoma Settlement Agreement, revised pursuant to our conversations during the course of the day on Friday. The redraft is redlined against the version of the Agreement that I provided yesterday morning. I believe this redraft addresses all comments raised, but please let me know if you have any final edits to the document as early as possible on Monday morning. I also hope to have confirmation of the legal descriptions for the Miami and Hockerville Sites and to circulate those on Monday as well. Thanks very much.

Karen A. Winters, Esq.
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